

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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RONALD MUHAMMAD,

Plaintiff,

vs

**NOTICE OF MOTION**

22-CV-6025

ANTHONY ANNUCCI, et. al.,

Defendants.

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**PLEASE TAKE NOTICE** that upon the pleadings in this action, all prior proceedings, and the accompanying Memorandum of Law, Domery Declaration with Exhibits therein and Declaration of Muditha Halliyadde with Exhibits therein, the Defendant, the New York State Department of Corrections and Community Supervision (“DOCCS”) moves this Court for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the operative complaint and all claims against it, as well as such other and further relief as this Court may deem just and proper.

If any portion of this motion is denied, Defendant requests 30 days from the filing of the Court’s decision on this Motion in which to submit answers regarding any remaining claims. This Motion is submitted on the papers. No oral argument is requested. Defendant reserves the right to file reply papers.

Dated: July 23, 2025  
Rochester, New York

LETITIA JAMES  
Attorney General of the State of New York  
*Attorney for Defendant*

s/Muditha Halliyadde

Muditha Halliyadde  
Assistant Attorney General, of Counsel  
NYS Office of the Attorney General  
144 Exchange Boulevard, Suite 200  
Rochester, New York 14614  
Telephone: (585) 546-7430  
Muditha.Halliyadde@ag.ny.gov

### **CERTIFICATE OF SERVICE**

I certify that on July 23, 2025, I electronically filed the foregoing Notice of Motion on behalf of Defendant with the Clerk of the District Court using CM/ECF system, which sent notification of such filing to the following:

1. N/A

And, I hereby certify that I have mailed, by the United States Postal Service, the document to the following non-CM/ECF participant(s):

Ronald Muhammad  
817 Post Avenue  
Rochester, New York 14619

Dated: July 23, 2025  
Rochester, NY

LETITIA JAMES  
Attorney General of the State of New York  
*Attorney for Defendant*

s/Muditha Halliyadde  
Muditha Halliyadde  
Assistant Attorney General, of Counsel  
NYS Office of the Attorney General  
144 Exchange Boulevard, Suite 200  
Rochester, New York 14614  
Telephone: (585) 546-7430  
Muditha.Halliyadde@ag.ny.gov